

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
KIRMET K. FAGLIER,  
  
Defendant.

CASE NO. CR21-0196-JCC

ORDER

This matter comes before the Court on Defendant Kirmet Faglier's unopposed motion to continue trial and pretrial motions deadlines (Dkt. No. 23). Having thoroughly considered Mr. Faglier's motion and the relevant record, the Court hereby GRANTS the motion.

Trial in this matter is currently set for July 25, 2022. (Dkt. No. 21.) Mr. Faglier seeks a continuance, citing the nature of the case, the complexity of potential pretrial motions, the severity of the charges, and a pending case in another court as factors creating a need for additional time to investigate, conduct research, and prepare for trial. (Dkt. No. 23 at 1–2.) Additionally, a recent COVID outbreak at the federal detention center in this District has impeded Mr. Faglier's ability to meet with his counsel, causing further delay. (*Id.* at 2.) Mr. Faglier indicates that the Government does not oppose his requested continuance. (*Id.* at 1.)

Based on the foregoing, the Court FINDS that the ends of justice served by granting the requested continuance outweigh the best interests of Mr. Faglier and the public in a speedy trial.

1 See 18 U.S.C. § 3161(h)(7)(A). This finding is based on the following:

2 1. A failure to grant a continuance in this case would likely result in a miscarriage of  
3 justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

4 2. Taking into account the exercise of due diligence, a failure to grant a continuance  
5 in this case would deny Mr. Faglier's counsel the reasonable time necessary for effective  
6 preparation due to counsel's need for more time to review the evidence, consider possible  
7 defenses, and gather evidence material to the defense, as set forth in § 3161(h)(7)(B)(iv); and

8 3. The additional time requested is a reasonable period of delay.

9 It is therefore ORDERED as follows:

10 1. Defendant's unopposed motion for a continuance (Dkt. No. 23) is GRANTED.

11 2. The current trial date is CONTINUED to September 19, 2022; pretrial motions  
12 will be due August 26, 2022. Parties should consult the Court's Chambers Procedures posted on  
13 its website for detailed instructions regarding pretrial submissions and trial procedure.

14 3. The time from the date of this order until the new trial date is an excludable  
15 period under 18 U.S.C. § 3161(h)(7)(A).

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17 DATED this 13th day of July 2022.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE